

Wednesday, 12 September 2018

## Policy must be before politics: Senate motion extending court reform submission date applauded

The Senate today took the rare step of passing a motion requiring the [committee inquiry](#) into the family court merger bills to delay its closing date for submissions by a further two months – a move praised by the Law Council.

The motion was introduced by Senator Rex Patrick (Centre Alliance) and supported by Senator Stirling Griff (Centre Alliance), Senator Derryn Hinch (Justice Party), Senator Tim Storer (Independent), the Greens and Labor.

The Law Council of Australia President, Morry Bailes, said the peak legal body has been strongly advocating to Parliamentarians for more time to review such monumental changes.

“The Senate has sent a powerful message to government that policy must come before politics when dealing with Australia’s family court system and the vulnerable people caught up in it,” Mr Bailes said.

“The current government timetable allowed for barely a month for submissions to be made on the most significant changes to the family court system in the last 40 years.

“The motion passed today details a deadline of 23 November, threefold the amount of time presently allocated by government.

“Despite assertions by government that the Law Council has had time to review the bills prior to their release, it was only given four business days for a handful of representatives to view a confidential exposure bill of some 530 pages.

“The new timetable means that the Senate committee now has the time it needs to hold wide and extensive hearings throughout the cities and regions of Australia in the months following the close of submissions, and prior to reporting on 15 April 2019.

“It also means that the families who have been unfortunately caught up in the family law system will have additional time to tell their often-painful stories,” Mr Bailes said.

Mr Bailes added that the Australian Law Reform Commission’s [Review of the Family Law System](#) is due to be delivered to government on 31 March 2019, and that it is crucial that its findings are considered by Parliament before the bills are voted on.

“The ALRC report is the most comprehensive review of the family law system since its commencement in 1976,” Mr Bailes said.

“The government’s proposed reforms ought to take into consideration the ALRC’s findings. These findings are likely to impact on and inform consideration of the structure of the federal family courts in a way that best serves Australians.

“Today’s vote means government, and Parliament, have the opportunity to take the landmark ALRC report into account prior to reporting – ensuring policy comes before politics,” Mr Bailes said.

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